

JOINT DECLARATION FOR PATENT APPLICATION

#3



As the below named inventor, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHODS OF GENE EXPRESSION MONITORING**, the specification of which

- is attached hereto.
- was filed on August 9, 2000 as Application Serial Number 09/634,352.
- was filed under the Patent Cooperation Treaty (PCT) and accorded International Application No. _____, filed _____, and amended on _____ (if any).

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We hereby acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

Prior Foreign Application(s)

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application No.	Date of Filing (day month year)	Date of Issue (day month year)	Priority Claimed Under 35 U.S.C. §119

Prior United States Provisional Application(s)

We hereby claim priority benefits under Title 35, United States Code, §119(e)(1) of any U.S. provisional application listed below:

U.S. Provisional Application No.	Date of Filing (day month year)	Priority Claimed Under 35 U.S.C. §119(e)(1)
60/148,081	09 AUG 1999 (09.08.99)	Yes
60/160,925	22 OCT 1999 (22.10.99)	Yes

Prior United States Application(s)

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Date of Filing (Day, Month, Year)	Status — Patented, Pending, Abandoned

Power of Attorney

And we hereby appoint, both jointly and severally, as our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the following attorneys and agents, their registration numbers being listed after their names:

ALTHERR, Robert F.	31,810	HOSCHEIT, Dale H.	19,090	NELSON, Jon O.	24,566
BANNER, Donald W.	17,037	HYMEL, Lin J.	45,414	NIEGOWSKI, James A.	28,331
BANNER, Mark T.	29,888	IWANICKI, John P.	34,628	PATEL, Binal J.	42,065
BANNER, Pamela I.	33,644	JACKSON, Thomas H.	29,808	PATHAK, Ajay S.	38,266
BECKER, Matthew P.	45,824	KAGAN, Sarah A.	32,141	PAYNE, Stephen S.	35,316
BECKETT, William W.	18,262	KATZ, Robert S.	36,402	PETERSON, Thomas L.	30,969
BODNER, Jordan	42,338	KLEIN, William J.	43,719	POTENZA, Joseph M.	28,175
BUROW, Scott A.	42,373	KRAUSE, Joseph P.	32,578	PRATT, Thomas K.	37,210
CALLAHAN, James V.	20,095	LINEK, Ernest V.	29,822	RENIK, Christopher J.	33,761
CHANG, Steve S	42,402	MALONE, Dale A.	32,155	RESIS, Robert H.	32,168
COHAN, Gregory J.	40,959	MANNAVA, Ashok K.	45,301	RHODES, Christopher R.	47,022
COOPERMAN, Marc S.	34,143	MAPLE, Marie-Claire B.	37,588	RIVARD, Paul M.	43,446
CURTIN, Joseph P.	34,571	McDERMOTT, Peter D.	29,411	SCHAD, Steve P.	32,550
DEMOOR, Laura J.	39,654	McKEE, Christopher L.	32,384	SHIFLEY, Charles W.	28,042
EVANS, Thomas L.	35,805	MCKIE, Edward F.	17,335	SKERPON, Joseph M.	29,864
FEDOROCHKO, Gary D.	35,509	MEDLOCK, Nina L.	29,673	STOCKLEY, D. J.	34,257
FISHER, William J.	32,133	MEECE, Timothy C.	38,553	VAN ES, J. Pieter	37,746
GLEMBOCKI, Christopher R.	38,800	MEEKER, Frederic M.	35,282	WITCOFF, Sheldon W.	17,399
HANLON, Brian E.	40,449	MILLER, Charles L.	43,805	WOLFFE, Franklin D.	19,724
HEMMENDINGER, Lisa M.	42,653	MITRIUS, Janice V.	43,808	WOLFFE, Susan A.	33,568
HONG, Patricia E.	34,373	MORENO, Christopher P.	38,566	WRIGHT, Bradley C.	38,061
McGARRIGLE, Philip L.	31,395	NORVIEL, Vern	32,483		
SHERR, Alan	42,147	ZHOU, Wei	44,419		

All correspondence and telephone communications should be addressed to:

John P. Iwanicki
 Banner & Witcoff, Ltd.
 28 State Street, 28th Floor
 Boston, MA 02109

Tel: (617) 227-7111
 Fax: (617) 227-4399

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature Yanxiang Cao Date 12/18/00
 Full Name of Second Inventor Cao, Yanxiang

Family Name Mountain View First Given Name Yanxiang Second Given Name
 Residence Palo Alto, California Citizenship China US

Post Office Address 445 Wilton Avenue, Palo Alto, California 94306 94040

163 Montebello Ct. Mountain View, HC 12/18/00

Signature Stryer Lubert Date
 Full Name of First Inventor Stryer Lubert

Family Name Aspen, Colorado First Given Name Stryer Second Given Name Lubert

Residence Aspen, Colorado Citizenship United States of America

Post Office Address 617 South Starwood Drive, Aspen, Colorado 81611

■ Additional Inventor(s) named on next page.

Power of Attorney

And we hereby appoint, both jointly and severally, as our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the following attorneys and agents, their registration numbers being listed after their names:

ALTHERR, Robert F.	31,810	HOSCHEIT, Dale H.	19,090	NELSON, Jon O.	24,566
BANNER, Donald W.	17,037	HYMEL, Lin J.	45,414	NIEGOWSKI, James A.	28,331
BANNER, Mark T.	29,888	IWANICKI, John P.	34,628	PATEL, Binal J.	42,065
BANNER, Pamela I.	33,644	JACKSON, Thomas H.	29,808	PATHAK, Ajay S.	38,266
BECKER, Matthew P.	45,824	KAGAN, Sarah A.	32,141	PAYNE, Stephen S.	35,316
BECKETT, William W.	18,262	KATZ, Robert S.	36,402	PETERSON, Thomas L.	30,969
BODNER, Jordan	42,338	KLEIN, William J.	43,719	POTENZA, Joseph M.	28,175
BUROW, Scott A.	42,373	KRAUSE, Joseph P.	32,578	PRATT, Thomas K.	37,210
CALLAHAN, James V.	20,095	LINEK, Ernest V.	29,822	RENK, Christopher J.	33,761
CHANG, Steve S	42,402	MALONE, Dale A.	32,155	RESIS, Robert H.	32,168
COHAN, Gregory J.	40,959	MANNAVA, Ashok K.	45,301	RHODES, Christopher R.	47,022
COOPERMAN, Marc S.	34,143	MAPLE, Marie-Claire B.	37,588	RIVARD, Paul M.	43,446
CURTIN, Joseph P.	34,571	McDERMOTT, Peter D.	29,411	SCHAD, Steve P.	32,550
DEMOOR, Laura J.	39,654	McKEE, Christopher L.	32,384	SHIFLEY, Charles W.	28,042
EVANS, Thomas L.	35,805	McKIE, Edward F.	17,335	SKERPON, Joseph M.	29,864
FEDOROCHKO, Gary D.	35,509	MEDLOCK, Nina L.	29,673	STOCKLEY, D. J.	34,257
FISHER, William J.	32,133	MEECE, Timothy C.	38,553	VAN ES, J. Pieter	37,746
GLEMBOCKI, Christopher R.	38,800	MEEKER, Frederic M.	35,282	WITCOFF, Sheldon W.	17,399
HANLON, Brian E.	40,449	MILLER, Charles L.	43,805	WOLFFE, Franklin D.	19,724
HEMMENDINGER, Lisa M.	42,653	MITRIUS, Janice V.	43,808	WOLFFE, Susan A.	33,568
HONG, Patricia E.	34,373	MORENO, Christopher P.	38,566	WRIGHT, Bradley C.	38,061
McGARRIGLE, Philip L.	31,395	NORVIEL, Vern	32,483		
SHERR, Alan	42,147	ZHOU, Wei	44,419		

All correspondence and telephone communications should be addressed to:

John P. Iwanicki
Banner & Witcoff, Ltd.
28 State Street, 28th Floor
Boston, MA 02109

Tel: (617) 227-7111
Fax: (617) 227-4399

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature John P. Iwanicki Date 12/18/00
 Full Name of Second Inventor Cao, Yanxiang

Residence Mountain View, California Family Name First Given Name Second Given Name
 Citizenship China U.S.

Post Office Address 445 Wilton Avenue, Palo Alto, California 94306 94040 Date 12/18/00
163 Montelena Ct. Mountain View,

Signature Lubert Stryer Date 1/16/01
 Full Name of First Inventor Stryer, Lubert

Residence Aspen, Colorado Family Name Stanford, California First Given Name Second Given Name
 Citizenship United States of America

Post Office Address 617 South Starwood Drive, Aspen, Colorado 81611 Date 1/16/01
843 Sonoma Terro, Stanford, California 94305

■ Additional Inventor(s) named on next page.

Signature David J. Lockhart Date 12/20/00
Full Name of Third Inventor Lockhart, Family Name David
First Given Name Second Given Name
Residence Del Mar, California Citizenship United States of America
Post Office Address 510 Torrey Point Road, Del Mar, California 92014

Signature _____ Date _____
Full Name of Fourth Inventor Dulac, Family Name Catherine
First Given Name G. Second Given Name
Residence Cambridge, Massachusetts Citizenship France
Post Office Address 10 DeWolfe Street, #48, Cambridge, Massachusetts 02138

Signature _____ Date _____
Full Name of Fifth Inventor Tietjen, Family Name Ian
First Given Name Second Given Name
Residence Somerville, Massachusetts Citizenship United States of America
Post Office Address 17 Dimick Street, Somerville, Massachusetts 02143

Signature _____ Date _____
Full Name of Sixth Inventor Rihel, Family Name Jason
First Given Name Second Given Name
Residence Somerville, Massachusetts Citizenship United States of America
Post Office Address 19 Buckingham Street, #2, Somerville, Massachusetts 02143

Signature _____ Date _____
Full Name of Third Inventor Lockhart, David
Family Name First Given Name Second Given Name
Residence Del Mar, California Citizenship United States of America
Post Office Address 510 Torrey Point Road, Del Mar, California 92014

Signature _____ Date October 31, 2000
Full Name of Fourth Inventor Dulac, Catherine G.
Family Name First Given Name Second Given Name
Residence Cambridge, Massachusetts Citizenship France
Post Office Address 10 DeWolfe Street, #48, Cambridge, Massachusetts 02138

Signature _____ Date October 31, 2000
Full Name of Fifth Inventor Hietjen, Ian
Family Name First Given Name Second Given Name
Residence Somerville, Massachusetts Citizenship United States of America
Post Office Address 17 Dimick Street, Somerville, Massachusetts 02143

Signature _____ Date October 31, 2000
Full Name of Sixth Inventor Rihel, Jason
Family Name First Given Name Second Given Name
Residence Somerville, Massachusetts Citizenship United States of America
Post Office Address 19 Buckingham Street, #2, Somerville, Massachusetts 02143